

IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

In re:	:	Chapter 13
Michael Alexander David	:	
	:	Bk. # 19-14074
	:	

**OBJECTION TO CERTIFICATION OF DEFAULT FILED ON JANUARY 12, 2021**

1. Debtors filed the instant bankruptcy on July 26, 2019.
2. One of Debtors' creditors is SN Servicing Corporation, who is a secured creditor of Debtor on his primary residence.
3. The parties entered into a Stipulation which was approved by this Court on December 16, 2020 resolving a Motion for Relief concerning delinquent mortgage payments.
4. Debtor was unable to make the necessary payments pursuant to the stipulation due to financial hardship.
5. Specifically, Debtor, who is self employed as a cleaning contractor, was not being paid timely by his clients.
6. Creditor filed a Certification of Default on January 12, 2021 averring that Debtor is delinquent post petition for \$2,970.74. see attached.
7. Debtor has since paid the Default and there is no longer a monetary default. see attached.

WHEREFORE, Debtor requests this Honorable Court to sustain the herein Objection to Certification of Default and enter the attached Order.

Dated: January 15, 2021

\s\

---

Jermaine Harris, Esquire  
Attorney for Debtor Michael Alexander David  
100 South Broad Street, Suite 1523  
Philadelphia, PA 19110  
(215)385-1091

IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

In re:	:	Chapter 13
Michael Alexander David	:	
	:	Bk. # 19-14074
	:	

ORDER

**AND NOW**, this                      day of                      , 2018, upon consideration of Debtors' Objection to Certification of Default and any response thereto,

IT IS HEREBY ORDERED THAT Debtors' Objection is SUSTAINED and SN Servicing Corporation's Certification of Default is DENIED.

\_\_\_\_\_  
J.

IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

In re:	:	Chapter 13
Michael Alexander David	:	
	:	Bk. # 19-14074
	:	

**CERTIFICATE OF SERVICE OF OBJECTION TO CERTIFICATION OF DEFAULT**

I, Jernaine Harris, Esquire, hereby certify that I served a true and correct copy of Debtors' objection to certification of Default upon the below listed via the court's electronic filing system:

Lorraine Gazzara Doyle, Esquire  
1325 Franklin Avenue, Suite 230  
Garden City, New York 11530

William C. Miller, Esquire  
Chapter 13 Trustee  
PO Box 1229  
Philadelphia, PA 19107

\s\

Jermaine Harris, Esquire  
100 South Broad Street, Suite 1523  
Philadelphia, PA 19110  
(215)385-1091

UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF PENNSYLVANIA

IN RE: Michael Alexander David  
Debtor  
  
Dorothy David  
Non-filing Co-Debtor  
  
SN Servicing Corporation as servicer  
for U.S. Bank Trust National  
Association as Trustee of the Igloo  
Series IV Trust  
Movant  
v.  
  
Michael Alexander David  
Dorothy David  
Scott F. Waterman - Trustee  
Respondents

CASE NO.: 19-14074-amc

CHAPTER 13

JUDGE: Ashely M. Chan

**CERTIFICATION OF DEFAULT**

FRIEDMAN VARTOLO, LLP, attorneys for Movant, hereby certifies that the above-captioned Debtor has failed to comply with the terms of the Stipulation approved by the U.S. Bankruptcy Judge Ashely M. Chan on December 16, 2020. A copy of the Stipulation is attached hereto as Exhibit "A".

Debtor failed to tender a full cure payment of \$7,424.36 to secured creditor by December 1, 2020. The Debtor tendered a payment of \$6,600.00, leaving the Debtor currently post-petition due for October 1, 2020 through January 1, 2021 at \$774.62 a month, less \$127.74 in suspense. The total post-petition arrears are \$2,970.74. In accordance with the terms of said Stipulation agreed to by the parties, the Automatic Stay is hereby lifted as to permit Movant to proceed with their State Court remedies upon Debtor's property.

Dated: January 12, 2021

By: /s/Lorraine Gazzara Doyle  
Lorraine Gazzara Doyle, Esq.  
FRIEDMAN VARTOLO LLP  
Attorneys for Movant  
1325 Franklin Avenue, Suite 230  
Garden City, New York 11530  
T: (212) 471-5100  
F: (212) 471-5150  
[Bankruptcy@FriedmanVartolo.com](mailto:Bankruptcy@FriedmanVartolo.com)



Navigation Menu

## Online Payment Confirmation

Thank you for submitting your online payment.

Your payment of **\$1599.62** for loan number **XXXXXX8736** has been submitted. Please print this page for your records.

Please be advised that processing will take 1-4 business days. If your payment has not been posted to your account by that time, please contact Customer Service for assistance.

**Your payment has been submitted. Do not use the Back or Refresh buttons as this may submit additional payments. Until they are processed, payments can be changed or deleted using either the "View Payments (./PaymentCenter.aspx)" page or by clicking the "Change Pending Payments" button below.**

You will also receive a remittance advice from our Customer Service department via email from CustomServ@snc.com (mailto:CustomServ@snc.com). These email notifications may be forwarded to your SPAM or bulk mail folder depending upon your email settings. Please check with your email provider to learn more about changing your SPAM settings to allow these notifications to be delivered to your inbox.

Your payment will be processed through a third party that observes holidays as established by the Federal Government. A list of federal holidays can be obtained from <http://www.opm.gov/fedhol/> (<http://www.opm.gov/fedhol/>).

### You currently have 1 pending payment(s)

Loan	Amount	Payment Date
XXXXXX8736	\$1,599.62	1/13/2021

[Change Pending Payments](#)

[Welcome \(Default.aspx\)](#) | [Make Payment \(Payment.aspx\)](#) | [View Payments \(PaymentCenter.aspx\)](#) | [View Billing Statement \(BillingStatementSummary.aspx\)](#)  
| [Billing Statement \(BillingStatementRequest.aspx\)](#) | [Loan Status \(LoanStatus.aspx\)](#) | [Payoff Quote \(PayoffQuote.aspx\)](#) | [Year-End Tax Information \(YearEndTax.aspx\)](#) | [Home Insurance Information \(HomeInsurance.aspx\)](#) | [Personal Information \(PersonalInformation.aspx\)](#) | [Change Profile \(ChangeProfile.aspx\)](#)

[Privacy Policy \(./PrivacyPolicy.aspx\)](#) / [Terms & Conditions \(./TermsAndConditions.aspx\)](#)



## Wells Fargo Business Online

### Proof of Payment

#### Customer Information

Customer Name MICHAEL A DAVID  
Business Name  
Address (line 1)  
Address (line 2)  
City  
State  
Zip Code

S N Servicing  
P.O. Box 660820

Dallas  
TX

75266-0820  
(800) 603-0836

The check image is currently not available due to one of the following reasons. Please try again later.  
\* The check has not yet been cashed.

#### Payment Detail

Payment Type Paper Check  
Payee Account No. XX8736  
Name on Account MICHAEL A DAVID  
Payment Amount \$1,549.24  
Send Date 01/04/2021  
Expected Delivery 01/11/2021  
Reference No. H92GLP1V  
Status Check Mailed  
Check No. 641406  
Trace ID  
Memo Nov. & Dec. Mortgage Payment

Check Images and Proof of Payment may contain confidential information. Please consider the location and privacy of your online device and printer. Wells Fargo is not responsible for the information being viewed by persons other than yourself.